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## Book Review

Theodore Samore

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legal existence upon issuance by the Patent Office and, though it is *voidable*, it is not *void* until so decreed by a court in an action contesting its validity.

This reviewer is of the opinion that the layman who is seeking to learn how to take the necessary steps to protect his intellectual property rights would do well to read this book. Then he will be able to seek legal advice from the attorney-at-law of his choice, having avoided pitfalls that the authors have enumerated. To the extent that this book is intended to guide the layman, the authors have achieved a measure of success.

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*Reviewed by Theodore Samore\**

INTRODUCTION TO THE NEW ECONOMICS, by Bernard L. Cohen. Published by the Philosophical Library, New York, 176 pp.; 1959.

In this modest work of fewer than 200 pages, the reader is furnished not only with a scheme of economics but the application of this scheme to a resolution of the world's aches and pains. The author (a Montreal lawyer and businessman) claims to offer new insights into the study of economics by applying the "cellular" theory borrowed from the biological sciences. This attempt at cross-fertilization leads—like most such matings—to sterility. It would be bootless to comment on empty generalizations. One example will do:

I have tried to point out how this web is made up of an unspeakable (sic!) number of cells, whose invariable function it is to provide for the physical, emotional and spiritual needs of mankind; and that this tapestry of cells, whose outline coincides approximately with the contours of the inhabitable globe, is fastened into an imperfect whole by innumerable lines of communication. Along these channels, great and small, commodities emanating from the cells, restlessly circulate, be it a load of cement seething inside a mixer, and rolling on its way to some new housing project, or a dozen eggs purchased at a grocery store and being carried home in triumph by mother's little girl (p. 62).

In a word, his theory is as nebulous as the proverbial London fog.

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Furthermore, his criticisms of both classical and modern economists are unconvincing. Surprisingly, Keynes, probably the keenest mind in the history of economic thought, is not even mentioned. Mr. Cohen's own proposals never really come to grips with the problems that usually beset the economist, namely, unemployment, production, national income, business fluctuations, theory of value, theory of interest, etc., etc. The evidence that he has not, of course, appears in the application of his "scheme" to the resolution of today's political, social and economic issues. Quite sensibly he writes, ". . . often, the practice is wrong, merely because the underlying theory is wrong." (p. 123.)

The remaining half of the book is devoted to the disentanglement of ills that are all too much with us despite Khrushchev's recent visit to our shores: inflation, war, peace, nationalism, socialism, overpopulation, communism, civil liberties, etc. One instance of Mr. Cohen's proposals should suffice. Near the end of his treatise, he pleads eloquently for a bill of attainder:

During the sixteenth and seventeenth centuries, Parliament had occasional recourse to what was then known as the Bill of Attainder, a form of retroactive legislation drawn up in such manner as to punish a greatly feared politician for some act which he had already committed, and for which it would have been vain to proceed against him under the existing laws. Under proper safeguards and under the full glare of publicity which such procedure would certainly require, the resurrection of this ultra democratic procedure would be at once powerful and yet hardly at all subject to abuse. Thereby could an incipient troublemaker be destroyed at a stroke in a manner that would not violate public conscience. Any subversive movement could readily and effectively be decapitated through the simple expedient of seizing its initiators and keeping them in confinement by virtue of special acts of Parliament or Congress applicable to the particular individuals concerned (pp. 171-172).

Unquestionably, the better portions of the book are those in which Mr. Cohen skillfully assails the Marxist dogma, the stupidity and inertia of bureaucratic control and the mentality of fanatical reformers. Here, too, one example will suffice:

Marxian apostolic literature is filled with lamentations over the perversity of those who are expected to be class conscious but are not. . . Without being continually reminded, it would appear that the workers would not be aware of the truth that they are up to their necks in class war. Hence, it would seem that the ennobling class struggle differs from an ordinary vulgar sort of war in that only to

the trained eye of the Marxist evangelist is it truly visible. . . . Without the ministry of dedicated Marxian pietists, the wretched workers would have remained lost to this sublime revelation, and forever benighted in their unbelief (p. 46).

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*Reviewed by Janet Eterovich\**

LOTTERIES, LAWS AND MORALS, by Judge Francis Emmett Williams. Published by Vantage Press, Inc., New York, N. Y., 338 pp. (1958).

Have you filled in the last line of a jingle contest, bought a raffle ticket on a new car, or been a participant on a television "giveaway" show? I have. If you have too, the author of this book would put you and me into a special class. He would call us "suckers." After reading his book, I think he is right.

Judge Williams, the author, is a retired Circuit Judge of the Eighth Judicial Circuit of Missouri. He has written this book in order to introduce not only attorneys, the American Bar Association, Congress and the courts, to the law of the lottery, but to inform laymen as well.

Most of us do not know what a lottery is because our history and legal texts do not mention it. The author defines it for us and traces its history right up to the present time. He reveals how the modern lotteries have been operated.

Most, if not all the states' constitutions prohibit lotteries. The reason is obvious. Gambling is not an instinct born into us. It is learned behavior. Experience has taught that it drags society down. The desire to gamble becomes a passion—an uncontrollable yearning for something for nothing. For example, the Welfare Commissioner of New York complained bitterly when 55 families from all over the country came to the city in order to participate in the television program, "Strike it Rich," and remained in the city, on relief.

Furthermore, many states permit race-track gambling, which is a lottery. The Post Office Department looks the other way when promoters flood the mails with lotteries, and the Department of Justice has been lax in enforcing the anti-lottery statutes. Even a recent Supreme Court case decided in favor of

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